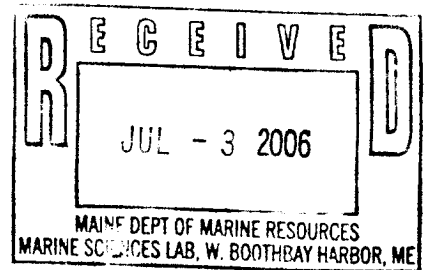


C: APPLICATION COVER SHEET FOR SUSPENDED CULTURE



Accepted as Complete 07-06-06

Name: David C. Weller Melissa Berry
Address: P O Box 646 22 Seawall Rd
City: Vinalhaven Southwest Harbor
County: Knox County (Hancock County)
State, zip: Maine, 04863 Maine, 04679

Telephone: (207) 863-2088 cell (207) 596-3855 or (207) 691-5052

Email address: dwell3@verizon.net

Date of Pre-application meeting: Fall 2005 by teleconference

Date of Scoping Session: January 2006

	<u>town</u>	<u>county</u>	<u>waterbody</u>
Location of lease site:	<u>Vinalhaven</u>	<u>Knox</u>	<u>Old Harbor Pond and The Basin</u>

Additional description Next to the land of David Weller located on Old Harbor Pond and East of Barton
Island in The Basin
(e.g. south of B Island)

Total acreage requested: Seven acres
(100-acre maximum)

Lease Term requested: Ten years
(10-year maximum)

Name of species to be cultivated, common and scientific names:

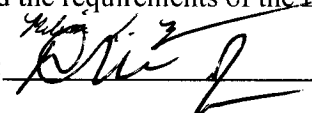
The American Oyster (*Crassostrea virginica*)

Name, address and phone number of the source of seed stock, juveniles, smolts, etc., to be cultivated:

Sandy Cove Hatcheries Inc. PO Box 64, Harrington, ME 04643 (207) 483-2030, or Muscogus Bay Aquiculture,
Bremen, ME, 04551-0158 (207) 529-4100, or spat produced by oysters already growing in Old Harbor
Pond, or other Maine DMR approved source.

\$1,000.00 application fee enclosed: ✓

I hereby state that the information included in this application is true and correct and that I have read and understand the requirements of the Department's rules governing aquaculture.

Signature:  Date: 6/26/06

18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

General Information

- a) Date: June 24, 2006
- b) Applicants: David Weller, PO Box 646, Vinalhaven, ME 207-863-2088 and Melissa Berry 22 Seawall Rd Southwest Harbor, ME 207-691-5052
- c) Lease location: off Vinalhaven Island, Knox County, Maine. Tract 1 is in Old Harbor Pond. Tract 2 is in The Basin
- d) Acreage:
 - Tract 1: 4 acres
 - Tract 2: 3 acres
 - Total 7 acres
- e) Application fee enclosed: \$1,000.00 (for 1 to 10 acres, no discharge)
- f) Lease Term: 10 years
- g) Species to be cultivated: American oysters, *Crassostrea virginica*
- h) Seed stock sources: We plan to use seed stock from DMR licensed Maine oyster seed growers (such as Sandy Cove Hatcheries or Muscongus Bay Aquaculture) and will also investigate growing seed from *Crassostrea virginica* maturing in our lease site. To date we have had success with seed from Muscongus Bay Aquaculture.

1. Site Location

- a) Vicinity Map: see attachment #1A through 1E
- b) Plan View: see attachments #1B, 1C, and 2A

We anticipate that John Lewis (or substitute DMR representative) will assist in setting our boundary markers. Thus, the precise boundary markers are subject to some modification by measurements taken by the DMR biologist subsequent to submission of this application.

- c) Aerial Photos: see "<http://mainegov-images.informe.org/dmr/aerialphotos/preveiw/zone3/hot/5085-17.jpg>" attachment 3

2. Site Development

- a) single structure schematic top view: see attachments 4A through 4E
- b) single structure schematics cross section: see attachments 4A through 4E
- c) Maximum structure and mooring system schematic – top view: see attachments 5A 1-3 , and 5B1-3
- d) Maximum structure and mooring system schematic – cross section: see attachments 5A2-3 and 5B2-3
- e) On-site support structures
 - 1 and 2) Tract 1 will be tended by row boats and/or other manually powered small boats and a work float not exceeding 8 feet by 12 feet, which is made of wooden decking on plastic or foam floatation. This float will likely have a crane on it for lifting trays and racks out of the water and possibly a pressure washer. Such structures will be no more than 8 feet above water level. Any motors used in tract 1 will be electric motors, not gasoline powered.
 - Tract 2 will also be tended by manually powered, small boats, a 10 foot x 12 foot work float, and also a larger motor powered tender and possibly a smaller outboard boat.

Petroleum products will be limited to that in the gas tank and engine of the motor powered tender and no other hazardous materials will be used at either site.

3) The only sanitary facility is at the residence of David Weller some distance away from both tracts.

f) Both tracts are inherently protected from wave action. The concrete mooring blocks used in tract 1 have proven entirely adequate during the past 3 years and the system of anchoring both ends of the strings of gear prevents gear escape if the string parts in one location. Double ended anchoring will also be used in tract 2 where 20 to 40 pound concrete blocks and/or mushroom anchors will be used.

g) See attachments 6A1-3 and 6B1-3

h) ADPI bags and floating trays are generally black or dark in color, overwintering racks are made predominantly of lobster wire so can vary in color, such as yellow or purple, but are generally not visible in the tracts. Buoys vary in color but are mostly white and some require markings specified by DMR. Existing rowboats are predominantly white and a red or other colored canoe may also be used. The surface of the work floats will be mostly wooden.

3) Operations

a) Production activities

1) Spat will be introduced into either tract 1 or 2 in ADPI bags or stackable trays, and possibly in an upweller in tract 1. We expect that the oysters will be grown primarily in bags and stackable trays floated at the surface, but we may bottom plant some oysters in tract 2 after 1 season of growth. Bottom planted oysters would be harvested by diver. Because the waters of Old Harbor Pond (tract 1) have not yet been rated, the overall plan for movement of oysters and gear between tracts 1 and 2 is not certain. However, it is our expectation that tract 1 will provide a nursery site for the early growth of the oysters while tract 2 (the Basin site) will permit an additional area for grow-out. If tract 1 is opened for harvest then both sites will be used for grow out and harvesting; otherwise, tract 1 oysters will have to be moved to tract 2, where the waters are open for the taking of shellfish, for the mandated period prior to harvest.

Tract 2 can be accessed by motorized tender from the northwest mouth of The Basin which is north of Barton Island, or by row boat, kayak, or canoe from the small cut at the southern end of Barton Island. Maintenance of tract 2 can be done from a rowboat, kayak, or canoe while significant harvests or transfers are expected to require the use of a motorized tender.

Tract 1 is accessed from the land of David Weller by rowboat, canoe, or other small boat. Any upweller will require daily attention while the nursery growth section requires twice-weekly attention and grow-out areas will need to be tended at least weekly. The degree of attention required varies with weather and growth conditions as well as the stage of growth and density of the oysters in the bags. Fouling of bags is addressed by flipping the floated bag such that the fouled under-surface is exposed to the sun and air to die, and is then removed by hand or wire brush as necessary leaving the algae in the water or, on occasion, taking some for on-land compost for the garden. For the ADPI bags currently in tract 1, flipping the surface floating bags has proven adequate for de-fouling and a pressure washer has not been needed. We anticipate that fouling in tract 2 will not be more intensive than in tract 1, but this remains to be seen. The use of trays is not tested

adequately to assess the need or lack of need of pressure washing, but we are including this in our gear inventory for this application in case it proves necessary. Each tract will be visited at least 2 to 3 times per week during the growing season, and surveillance cameras may be additionally employed. In most instances only one to two small boats will be used to visit and tend each site. Frequency and size of harvests will depend on the market and route to market. Use of a separate shellfish dealer can mean less frequent, larger harvests than might be done by a grower also serving as dealer. Both paths to market may be employed. At most, harvesting will be done weekly throughout the growing season as conditions permit and possibly from tract 2 outside of the standard growing season. Protocol for harvest will adhere to DMR requirements for testing and will follow Maine industry standards.

For over-wintering, the oysters will be sunk to the bottom of the tracts in their bags and trays which may or may not be contained within wire racks. We have used wire racks for over-wintering with success, but they may prove inappropriate in some shallower locations in these tracts. Over-wintering racks and unused gear will be stored on the property of David Weller. No predator control plan is in place as none has been necessary for these caged oysters. Should green crabs or other predators prove to be a problem in tract 2, bottom planting will likely be abandoned and only suspension growing employed.

2) Maximum production is anticipated to be 1 million oysters per year and maximum stocking density varies by the size of the oyster. Oysters over 2 inches will have a maximum stocking density of 300,000 per acre while the nursery area will have a much greater density. The maximum total occupancy for both tracts will be 5 million oysters of all sizes to allow for losses.

3) ADPI bags and grow-out trays are standard equipment routinely used in Maine oyster aquaculture. Review of the gear offered from Atlantic Aquaculture did not identify superior options to the gear included in this application.

4) At start-up less than one FTE will be supported by this project and at maximum production this project, not including downstream business supported by this effort, may be expected to support five FTE at least two of which will be working on-site. Part-time temporary employment, such as for large harvests, could reach six.

b) Noise and Light

1, 2, 3) If an upweller is used, it will most likely be of the covered (sound muffled) flupsy style and will be used during the growing season. Any power washer, if needed, would be used during daylight hours and likely for a maximum of one hour every third day at each tract during standard maintenance and longer during harvests. The motor would be encased for noise control.

4, 5) Harvests and weather emergencies may compel after-daylight or pre-daylight work, more probably in tract 2. Under these circumstances, hand held or boat mounted spotlights of 1500 watts or less might be used.

c) Gear will be worked on and stored on David Weller's property. No feed is involved in this project.

d) Much of the current 1.84 acre experimental lease site is covered by tract 1. There are currently oysters in strings of ADPI bags and in one stackable tray set deployed at this site with gear stored on David Weller's property abutting Old Harbor Pond. This site is tended by one of two rowboats. In addition to the more mature oysters from

previous seasons, approximately 80,000 seed were added this year. Tract 2 encompasses the existing David Weller garden lease site, which remains to be tested due to uncertainty regarding the legalities of transfer from Old Harbor Pond to The Basin. A pier and floats is available on David Weller's land from which tract 2 can be accessed.

4) Environmental Characterization

a)

Tract 1: The bottom is sedimentary mud with boulders and pebbles. The tide fluctuation is generally a foot or less with fresh water runoff causing higher water levels at times.

The water depth in the proposed lease ranges from two feet near the shore to a depth of approximately 15 feet toward the southeast portion of this lease site. There is a sloping shallow to moderate grade with granite outcroppings. A weak tidal current runs lengthwise in the pond (approximately northwest-southeast). This site is more protected from the effects of weather and current than are many ocean or river sites. There is detritus with leaves and estuarial grasses particularly in the shallow area. Prior to growing oysters here we saw some small minnows only along the shoreline, but now find more of these hanging around under the ADPI bags and sometimes living inside the ADPI bags with the oysters. There is rarely *Fucus* adrift in this area of the pond; more is seen at the dyke to Old Harbor. The shoreline has spruce, birch, and maple forest with alder as an under-story. There is a gentle slope down to the pond and the pond is surrounded by stone outcroppings and brush.

Tract 2: The bottom is gravel and mud with both sand and clay components, with granite and basalt outcroppings. Minor amounts of brown seaweed are seen (*Fucus*) along with crabs, but no kelp beds. There are mussels and what appears to be eelgrass well outside of the lease site in the inter-tidal area here and there on the shore, but there do not appear to be shellfish beds or eelgrass in the lease area. Seals frequent The Basin, and lobsters are caught in the deep water of The Basin to the Northwest of this lease site. Gulls and cormorants are common. The surrounding forests include spruce, fir, elder, bayberry, and birch with blackberries and raspberries. Red squirrels, mink, deer, crows, and woodpeckers have been seen there. The Basin is fed from the tides through two areas, one being the cut at the extreme north end of Barton Island and the other being The Falls at the extreme south end of Barton Island, at the causeway. There is a small current flowing in and out of the tract 2 lease area with the tide. This is estimated to be less than a quarter of a knot. The current in this lease area is impacted more by the flow through the southern end falls than that through the cut, flowing in from south to north and ebbing back.

5. Area Resources

a) No significant shellfish beds, fish migration routes, or other marine resources were found in either tract 1 or tract 2. Some eelgrass, or what may be eelgrass was found in the inter-tidal shore area of The Basin. Tract 1 has not had adequate testing performed to have its waters rated. Tract 2 has been rated as open for the taking of shellfish.

b) See attachment # letter from MDIF&W, G. keel Kemper Dated: 6/29/06.

6. Surrounding Area Use

a)

- 1) Certified tax maps already submitted
- 2) Names and addresses of riparian owners already submitted
- 3) See easement from David Weller, Dated: 9/29/2002, attachment 8
Note that The Maine Coast Heritage Trust owns and maintains land surrounding the cut into the southern mouth of The Basin for low impact public access purposes.
- 4) Neither tract abuts any land but that of David Weller, who does not use it to access his land.

b) Existing Uses

- 1) Tract 1 is in a closed body of water not used for navigation. This oyster farm is the only commercial activity in Old Harbor Pond. Current usage is recreational boating of occasional canoes kayaks, or iceboats and some ice-skaters. Tract 2 has similar recreational boating and additionally lobstering in the deep water of The Basin, but not in the proposed lease site. Navigation in The Basin is not blocked by tract 2.
 - 2) Exclusive use of both tracts for fishing and any other sea harvests is requested. It is additionally requested that littering into the water or any overboard discharge of any kind within 1000 feet of either lease site be prohibited. Recreational boating is compatible so long as the law prohibiting the molestation of gear or oysters is respected.
 - 3) Tract 1 is in Old Harbor Pond where this oyster aquaculture is currently the only fishing and there are no moorings within the lease site. Tract 2 has no moorings within the proposed lease site. Lobster fishing is done in the deep water of The Basin, but names of those who fish there is not yet known to the applicants.
- Attachment 9

7. Technical Capability

David Weller has a Bachelor of Arts in Biology from Kenyon and engaged in study of oyster aquaculture at The University of Massachusetts Aquacultural Engineering Laboratory in Warham, MA in 1974. Since beginning this project he has developed new, more reliable and efficient designs for building ADPI bags. An avid sailor since childhood, Mr. Weller maintained a 6 passenger license with the Coast Guard for several years and is fully familiar with boats, boat maintenance, and boating rules and regulations. He successfully started and ran a technically oriented company and is a patented inventor.

Melissa Berry took her Bachelor of Science in Biology from Bates College, went on to study immunology, and is now back in school pursuing a Masters in Business Administration at The University of Maine. Her undergraduate studies included a course in marine invertebrates, which she never anticipated using to this extent.

8. Financial Capability

a) With a 12 foot skiff, a 7'11" row boat, a 7 foot inflatable dingy with outboard, a canoe, one 8 x 10 work float built, over 300 ADPI bags in stock, 35 over-wintering racks, stores of various sized line, and somewhere on the order of 200,000 oysters growing in Old Harbor Pond despite a bad winter, this project, which has no debt, could support itself without further financial investment, re-investing all proceeds from harvest. However, the plan is to grow this project at a faster rate than this would permit. Funds were available for much more spat than could be obtained this past spring. At the very least, those funds will remain available for use next spring. Additional funds are available to support this project, but will not be disclosed in this public application. If requested, such information will be provided to the appropriate D.M.R. official with the understanding of confidentiality.

b) Cost Estimates

As indicated in a) the costs can be as minimal as annual lease fees, performance bond, testing costs, and additional spat with no expansion from the current size. Growth is planned beyond the current size, to occur over several years with the goal of a self-sustaining operation within 3 years.

Baseline costs include: lease fees (\$700/year), performance bond (\$100/year), any testing costs, additional spat (\$6,000 obtains at least 200,000 appropriately sized spat), harvest transportation to dealer. These costs do not include labor of the investors. It is expected that mature oysters will sell for at least \$0.45 per oyster and these proceeds will be re-invested in spat and equipment.

Growth costs:

additional gear possibly including some combination of the following:

stackable trays (roughly \$30 with accoutrements) x ~1000 = ~\$30,000

ADPI bags (roughly \$12 with accoutrements) x ~3000 = ~\$36,000

over-wintering cages (roughly \$60) x ~600 = ~\$36,000

20 foot boat ~\$20,000

c) Neither David Weller nor Melissa Berry have any financial interests in aquiculture projects outside beyond the existing experimental lease in Old Harbor Pond and the LPA in the Basin.

Aquaculture Lease Sites in The Penobscot Bay Area

2004-27 ▲

2004-14 ▲

MORA BR +

LARR KC2 +

LEAC SB +

BRAY SP +

2004-17 ▲

WEED LD2 +

GEMF SP +

CAMP PN2 +

2004-21 ▲

2004-26 ▲

2004-28 ▲

EHUT STH ★

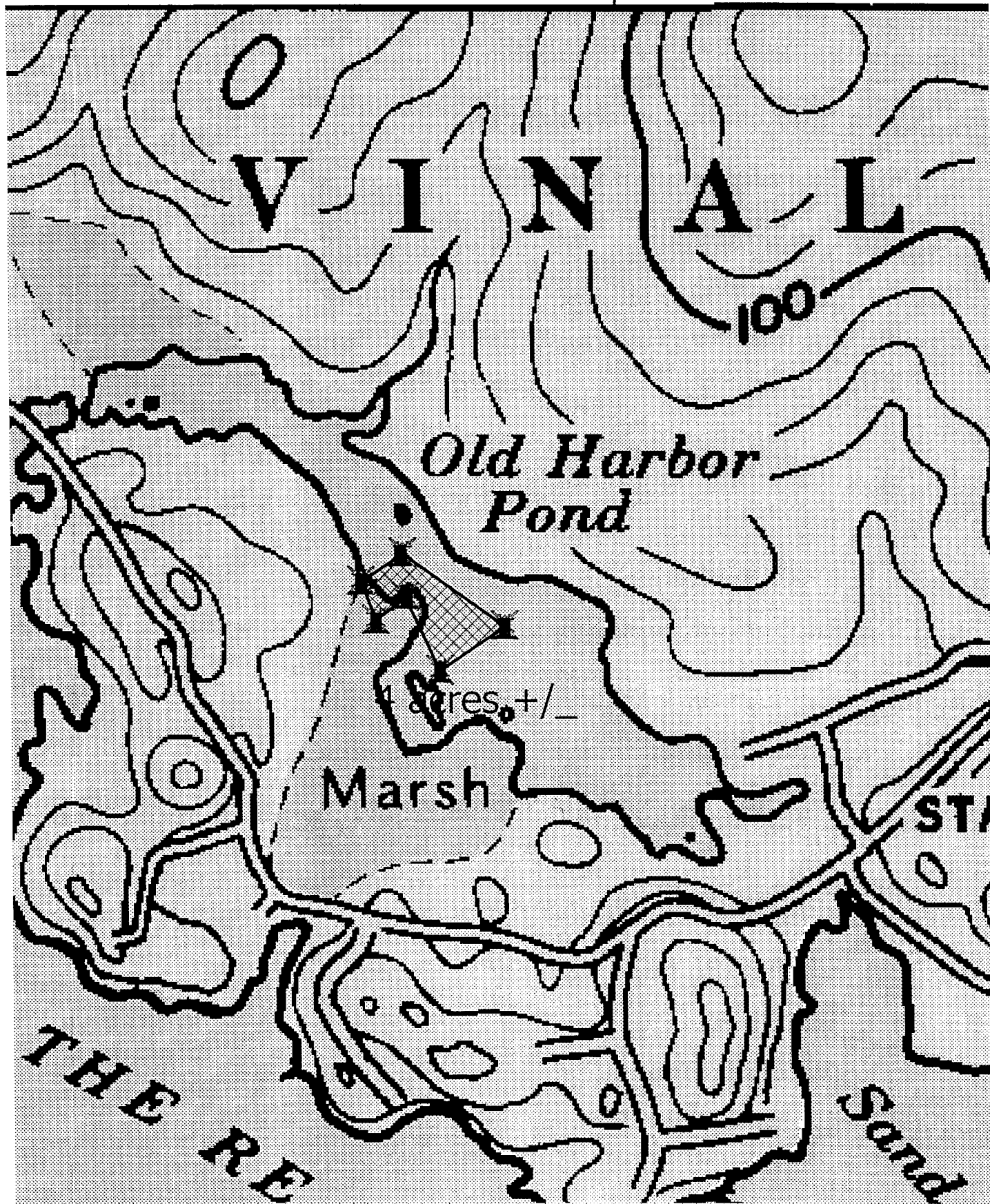
WELL VH

Tract 2 ⊕

Tract 1 ⊕

Legend

- ★ Experimental
- Finfish



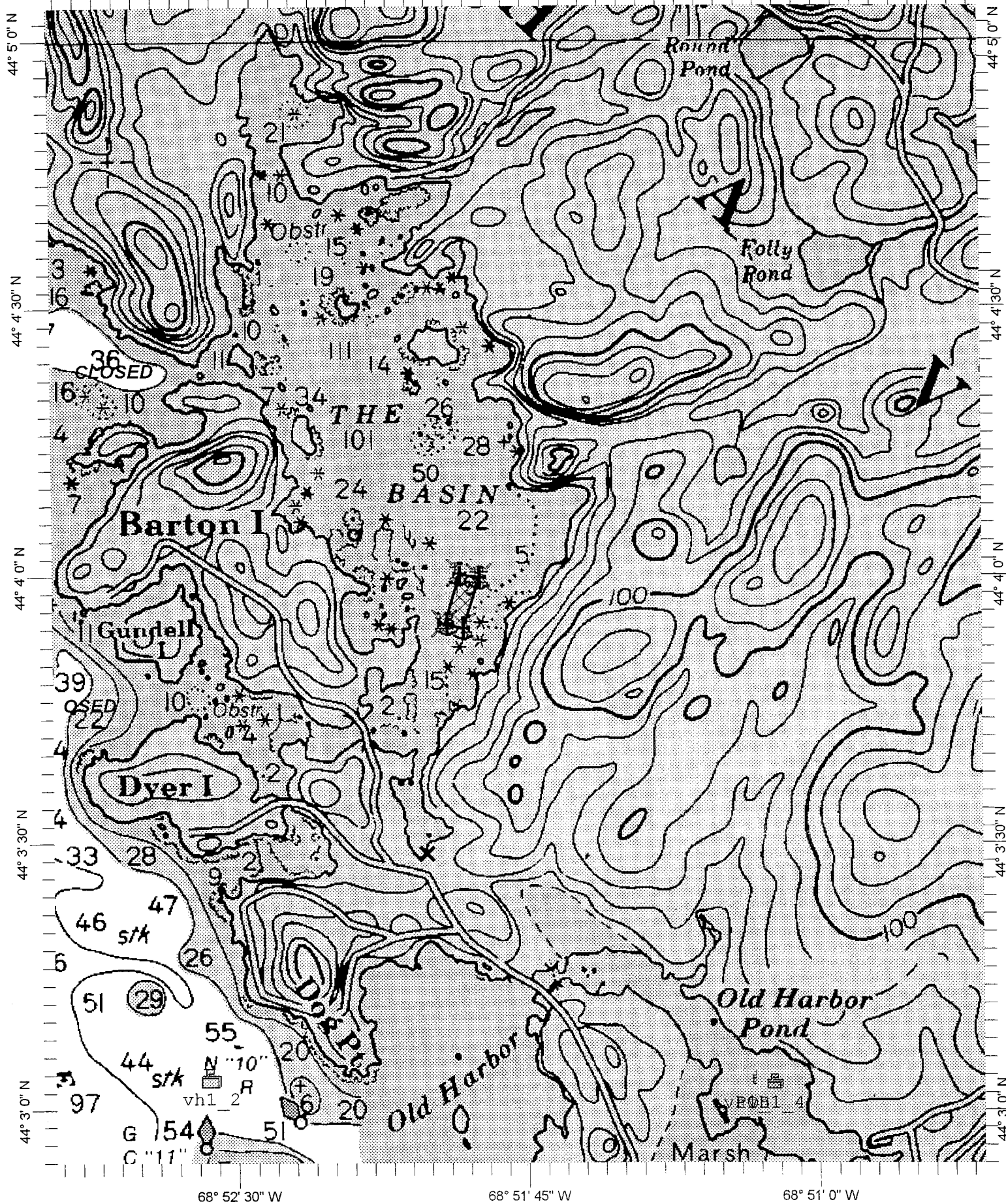


Chart Name: PENOBSCOT BAY ME
 Chart ID: 13305_1
 T-1-6

Tract 2

44° 51' 3" N 68° 52' 58" W

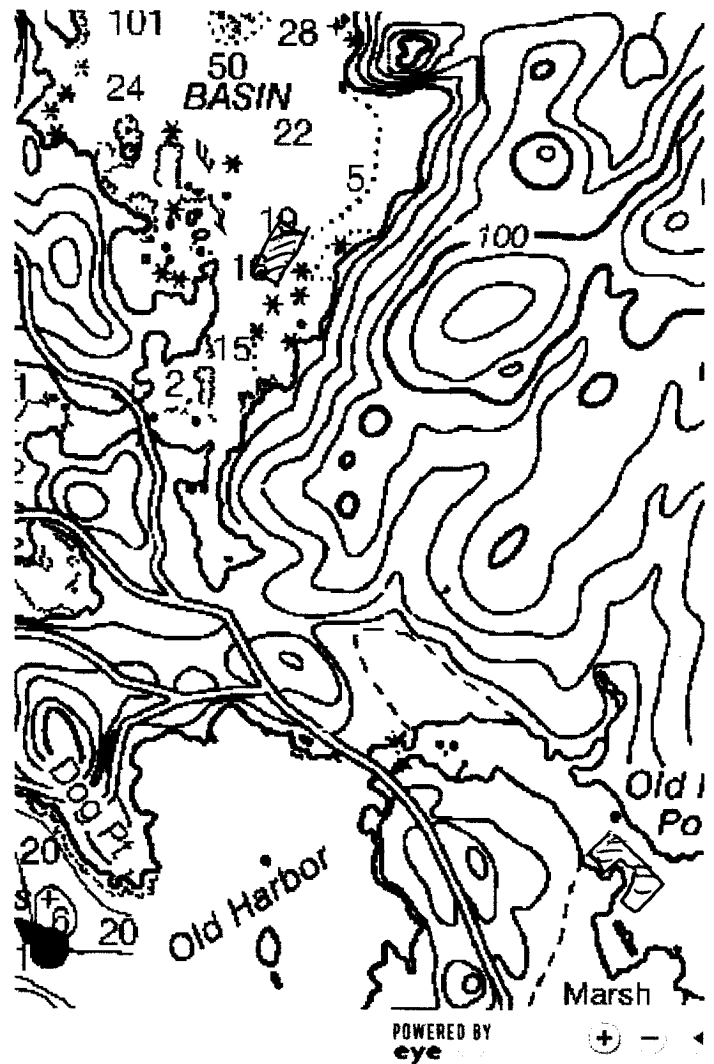
Attachment 1D

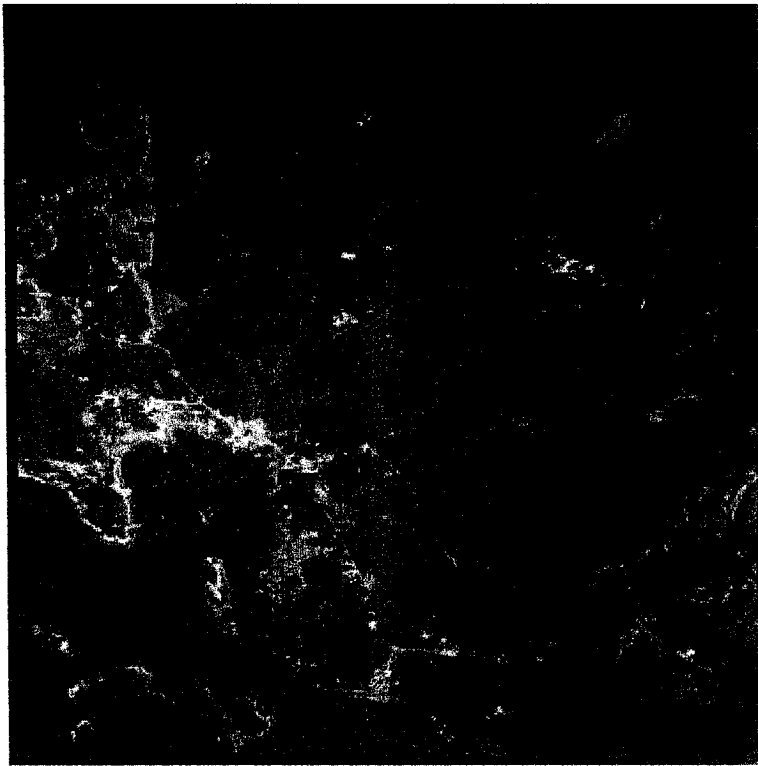
	Latitude	Longitude
Tract 1 containing approximately 4 acres		
POB	44 degrees 03' 05" N	68 degrees 51' 18" W
2	44 degrees 03' 06" N	68 degrees 51' 16" W
3	44 degrees 03' 02" N	68 degrees 51' 13" W
4	44 degrees 03' 04" N	68 degrees 51' 09" W
5	44 degrees 03' 08" N	68 degrees 51' 16" W
6	44 degrees 03' 07" N	68 degrees 51' 19" W
Tract 2 containing 3 acres		
POB	44 degrees 04' 00" N	68 degrees 51' 55" W
2	44 degrees 04' 00" N	68 degrees 51' 52" W
3	44 degrees 03' 55" N	68 degrees 51' 57" W
4	44 degrees 03' 54" N	68 degrees 51' 55" W

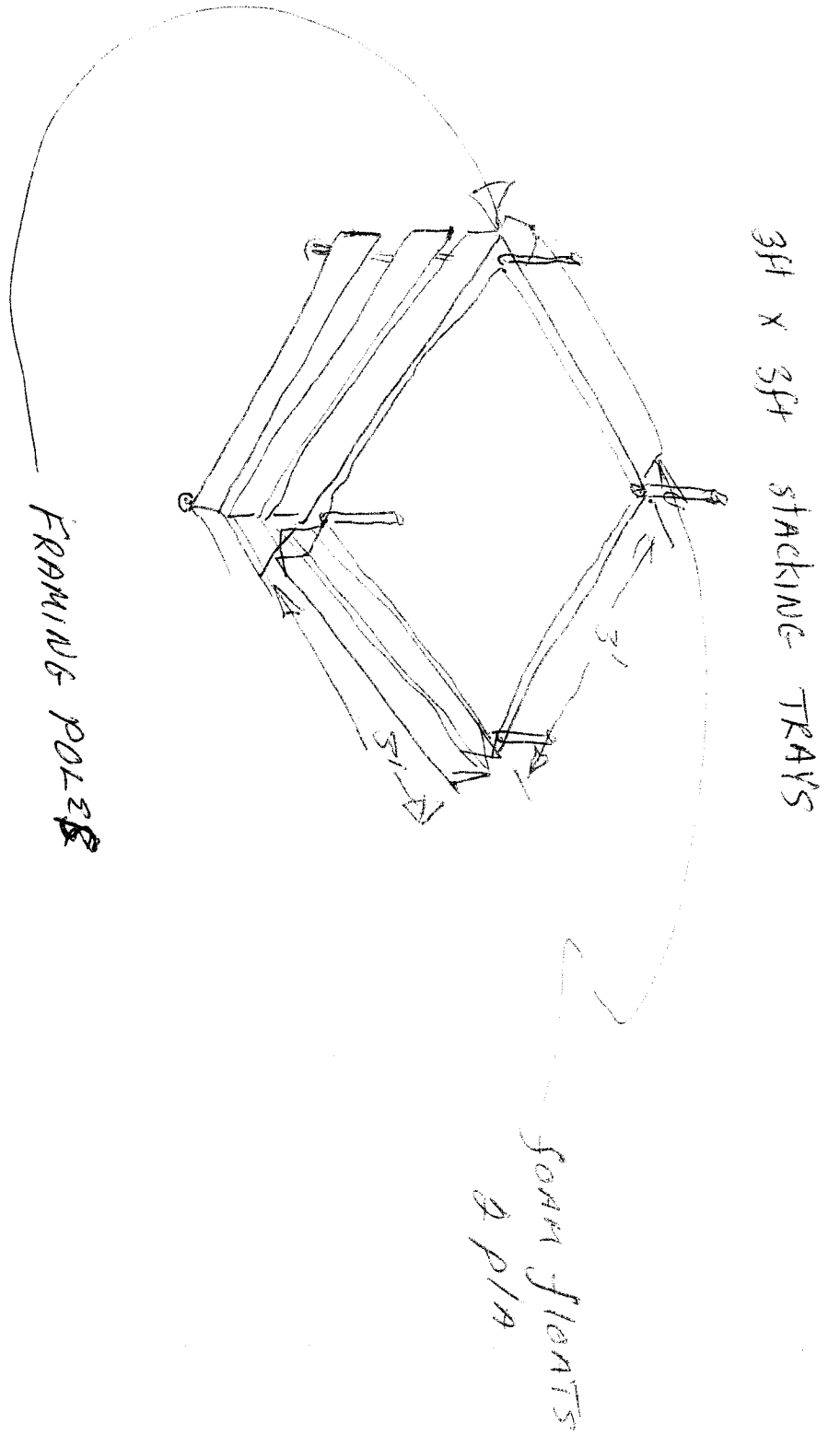
*ATTACHMENT 2***NOAA On-Line Viewer**

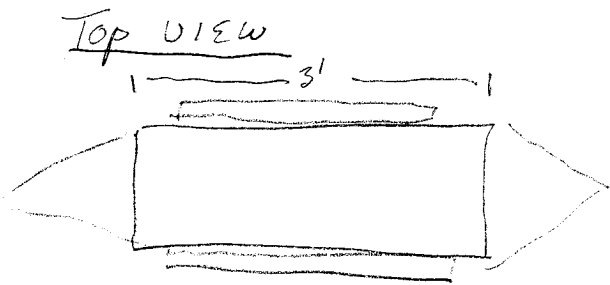
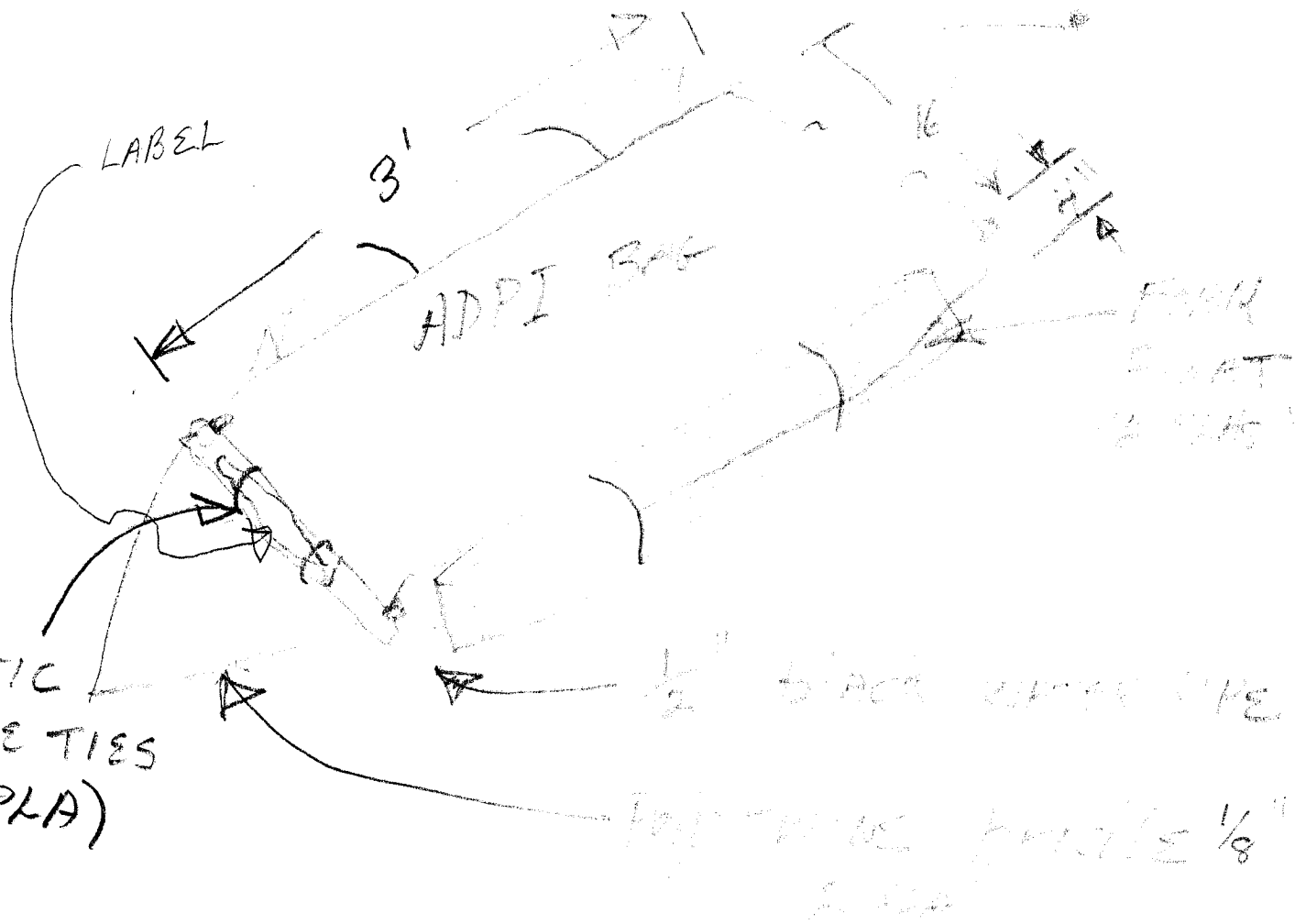
Use +/- on the overview above to zoom the image at the right.
Click on any point in the overview above to center the
right hand image on that point.

Alternatively, use the control buttons under the image at the
right to manage its display.

*FROM CHART 13305**PENOBSCOT BAY, CARVERS HARBOR
AND APPROACHES*





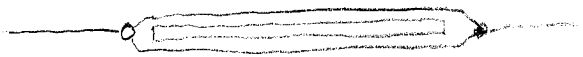


L 3'

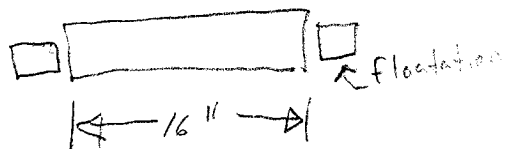
W 16"

D 4"

SIDE VIEW



CROSS SECTION



Color: BLACK: ADPI BAG

BLACK or DARK GREY: FLOOR

BLACK or DARK GREY: PLASTIC

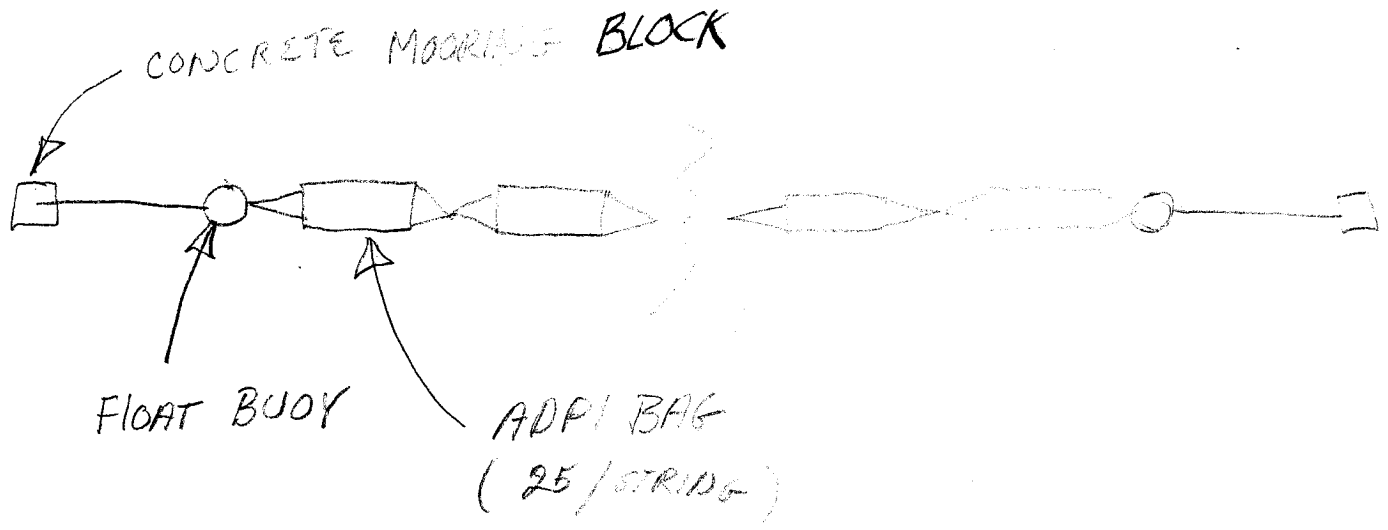
ORANGE TWINS

Attachment 4C

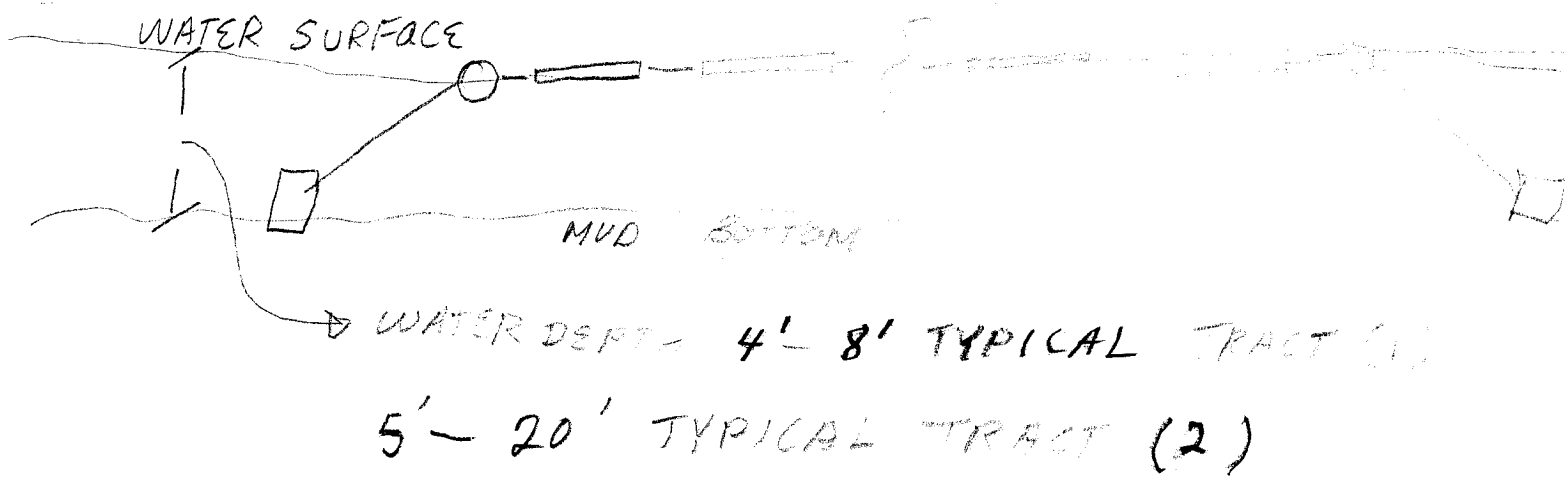
TYPICAL STRUCTURE LAYOUT / STRING

ADPI SP. GROW OUT DEPLOYMENT

TOP VIEW



SIDE VIEW

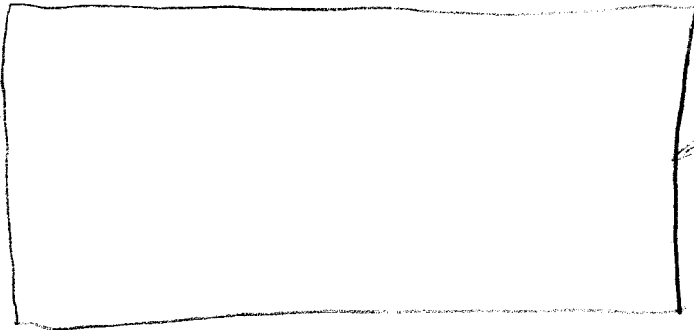


OVERWATER RACK

Top View

4'

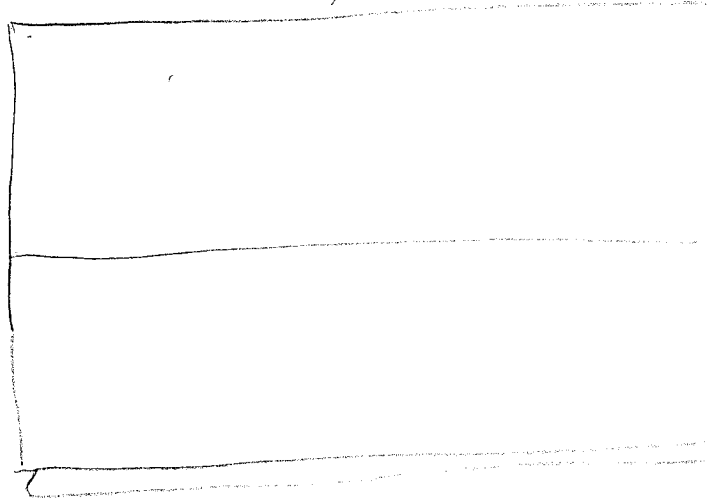
21"



VYNAL COATED WIRE
(STAINLESS STEEL WIRE
1" MESH)

Side View

4'

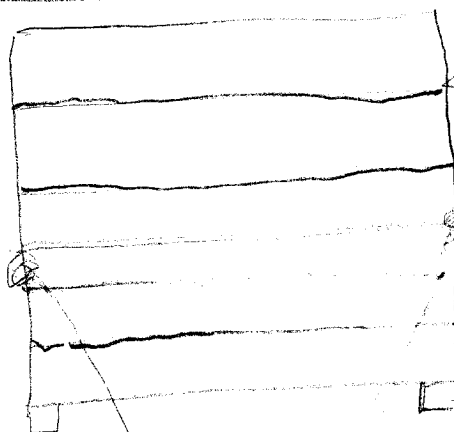


15"

30"

OAK RUNNERS -

CROSS SECTION



ELASTIC ROPE
4/2A

OAK RUNNERS
(2 PLA)

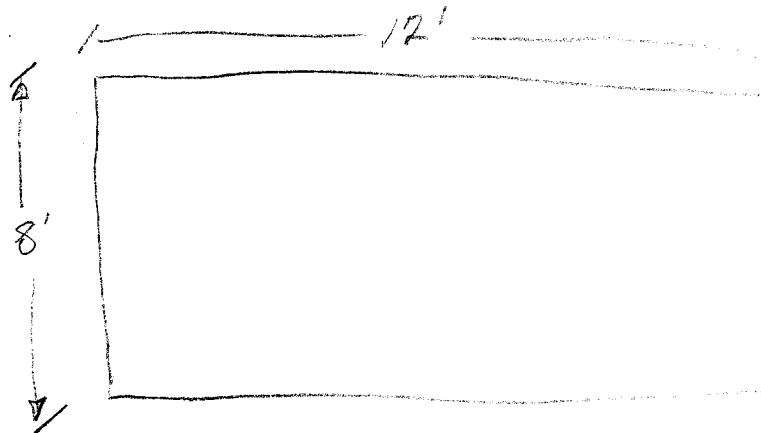
Rope bridle

WORK FLOAT

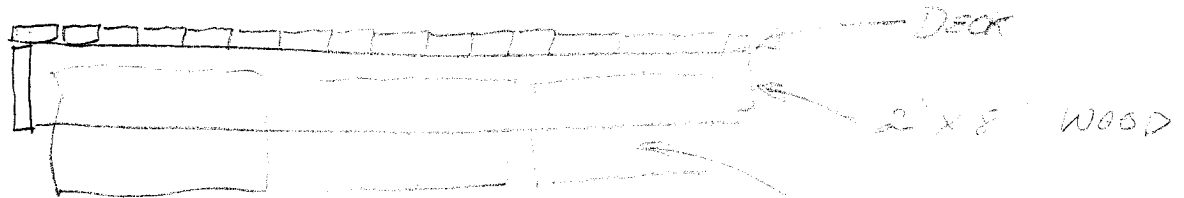
(2-3 TYPICAL)

Attached 4E

TOP VIEW



CROSS SECTION

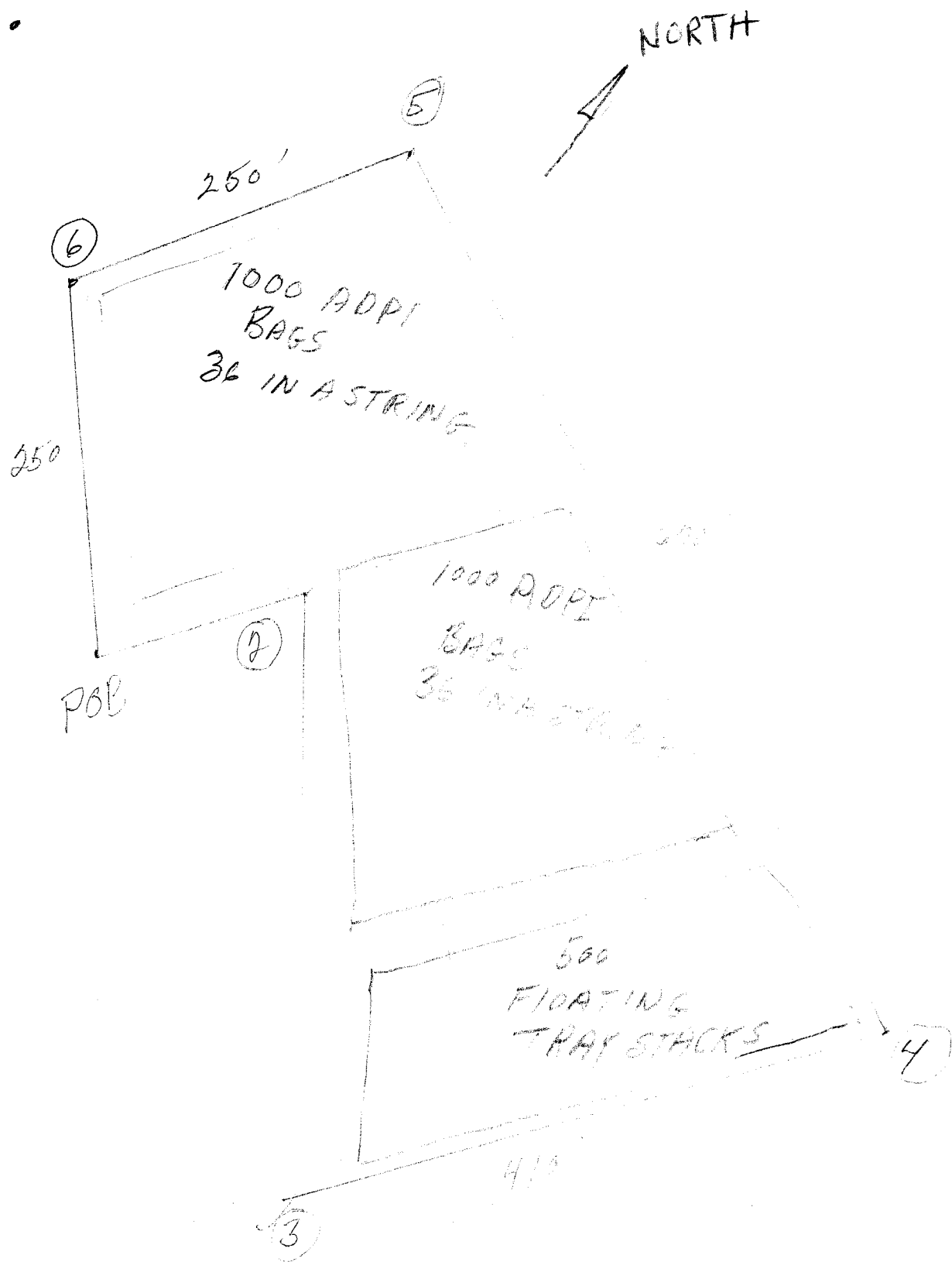


1/4" x 1/4" UN

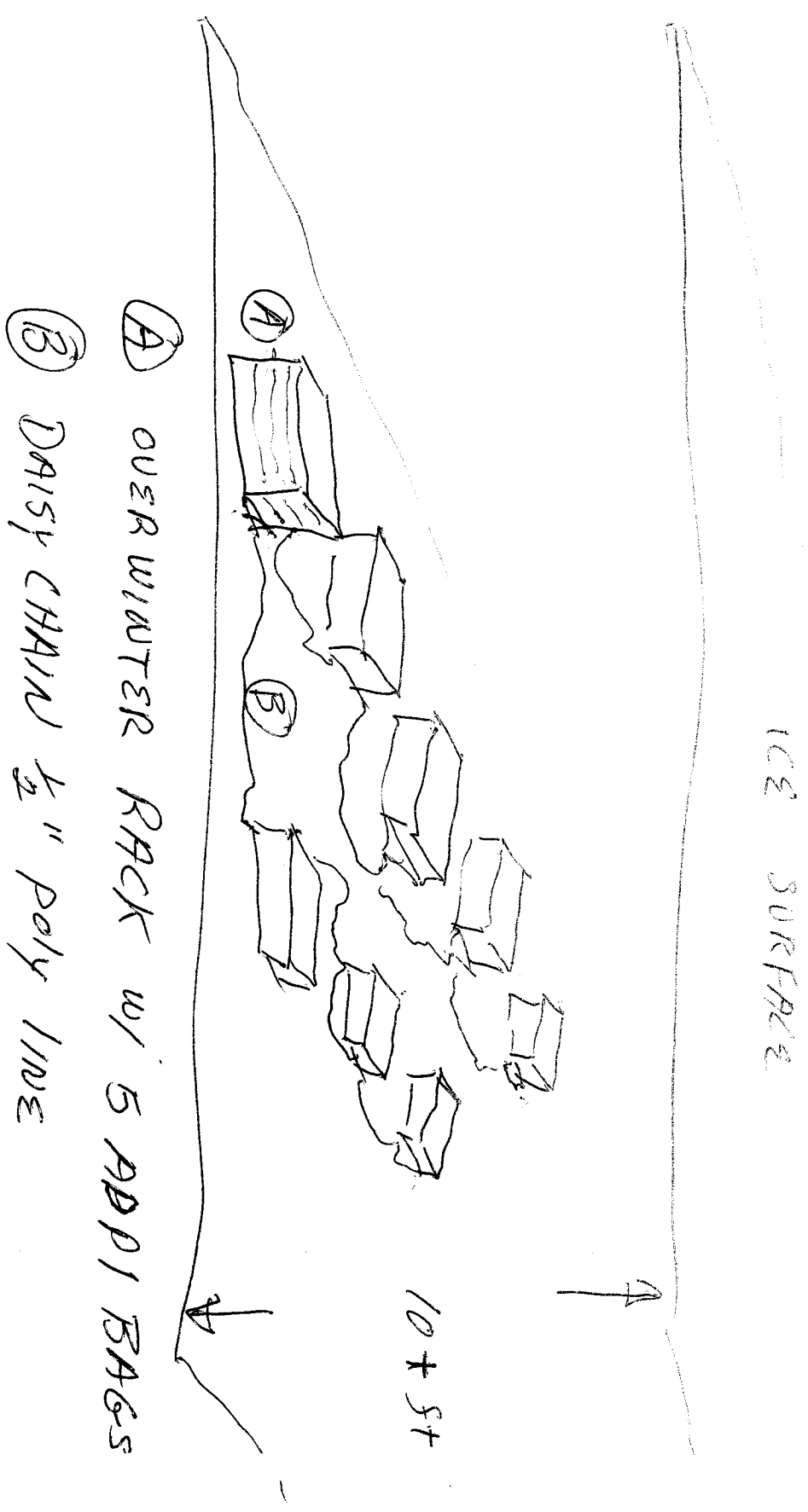
FLAME FLOATS
OR

FOAM BATS

TRACT 1 (OLD HARBOR POND)
PLAN VIEW

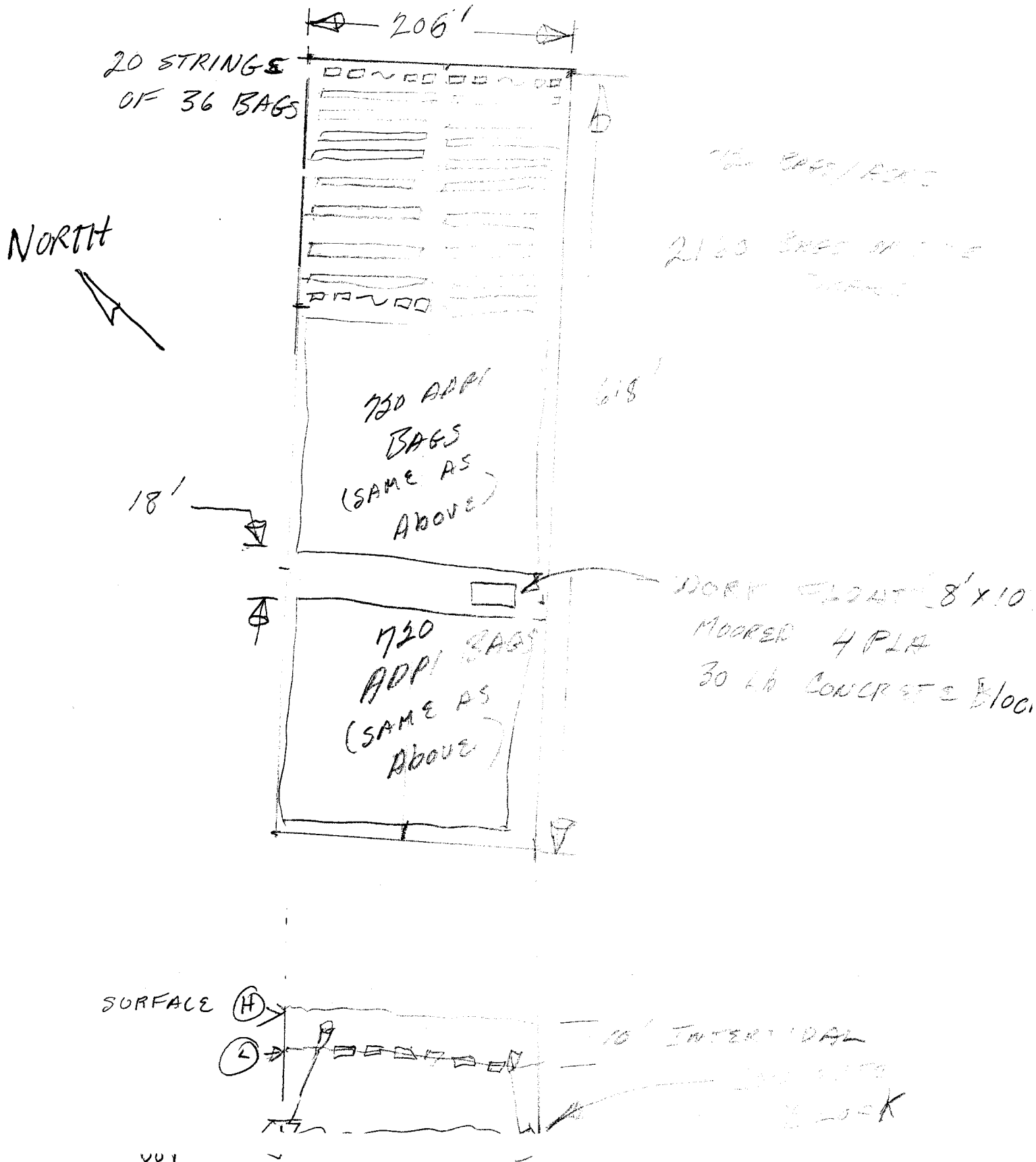


5A (3) OVER WINTER PLAN

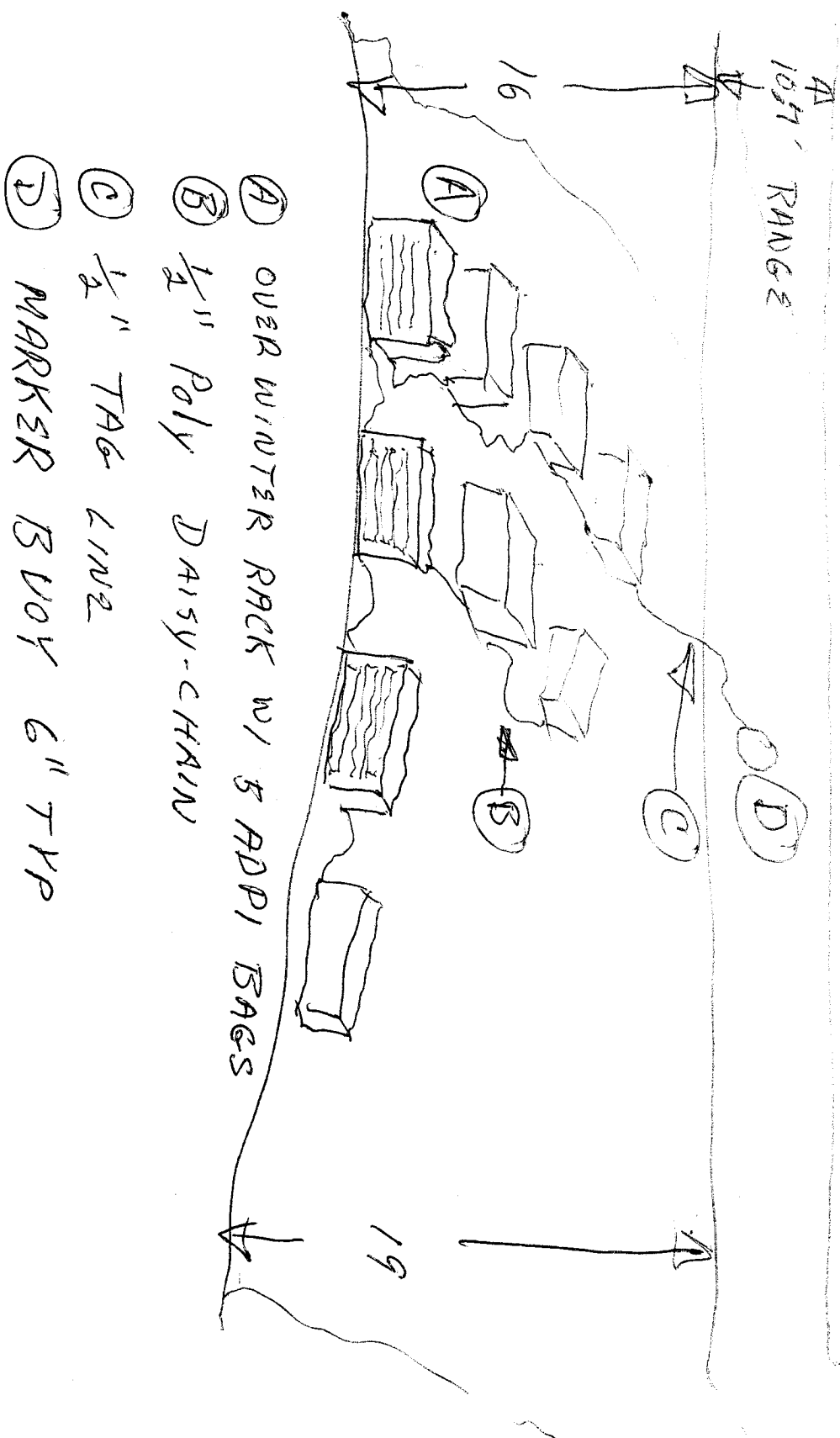


TRACT 2 (THE BASIN) 3 ACRE ± PLAN VIEW

Attachment 5B1



5B (3) OVERWINTER PLAN

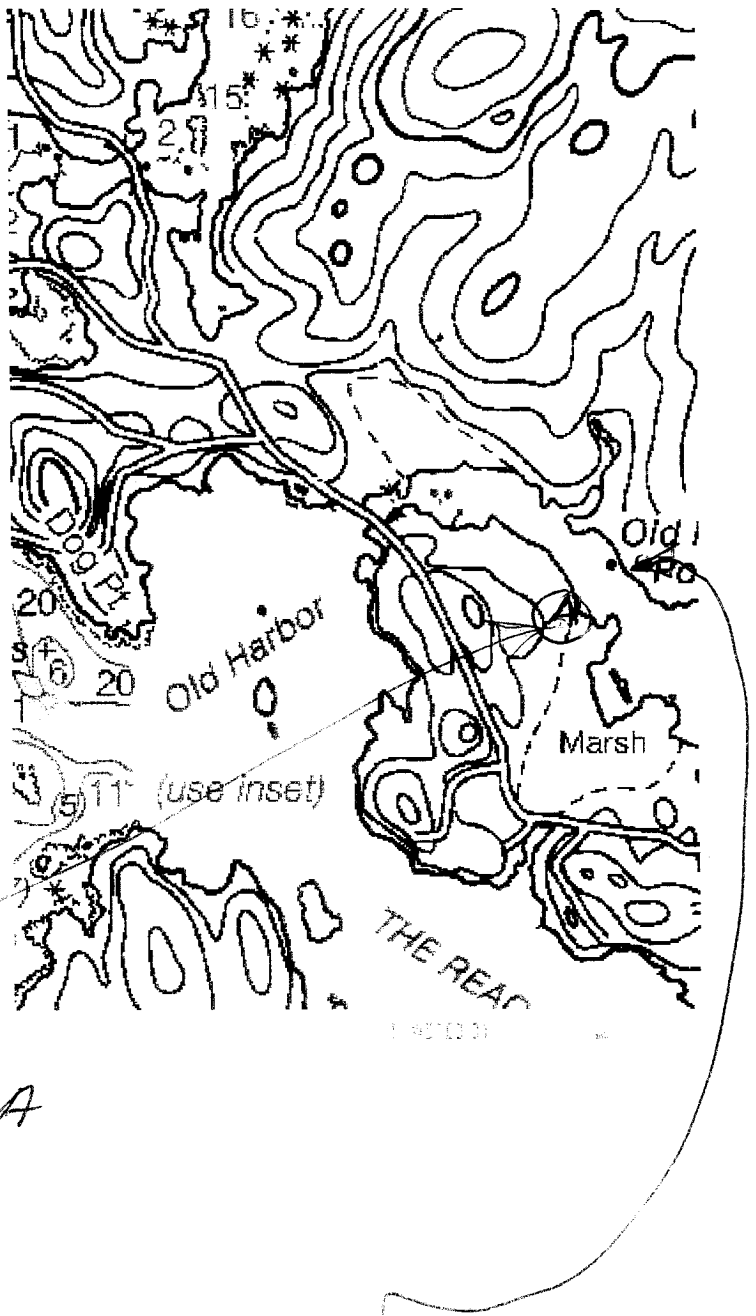


ATTACHMENT G 6A (1)

NOAA On-Line Viewer

Use +/- on the overview above to zoom the image at the right.
Click on any point in the overview above to center the right hand image on that point.

Alternatively, use the control buttons under the image at the right to manage its display.



VANTAGE POINT A

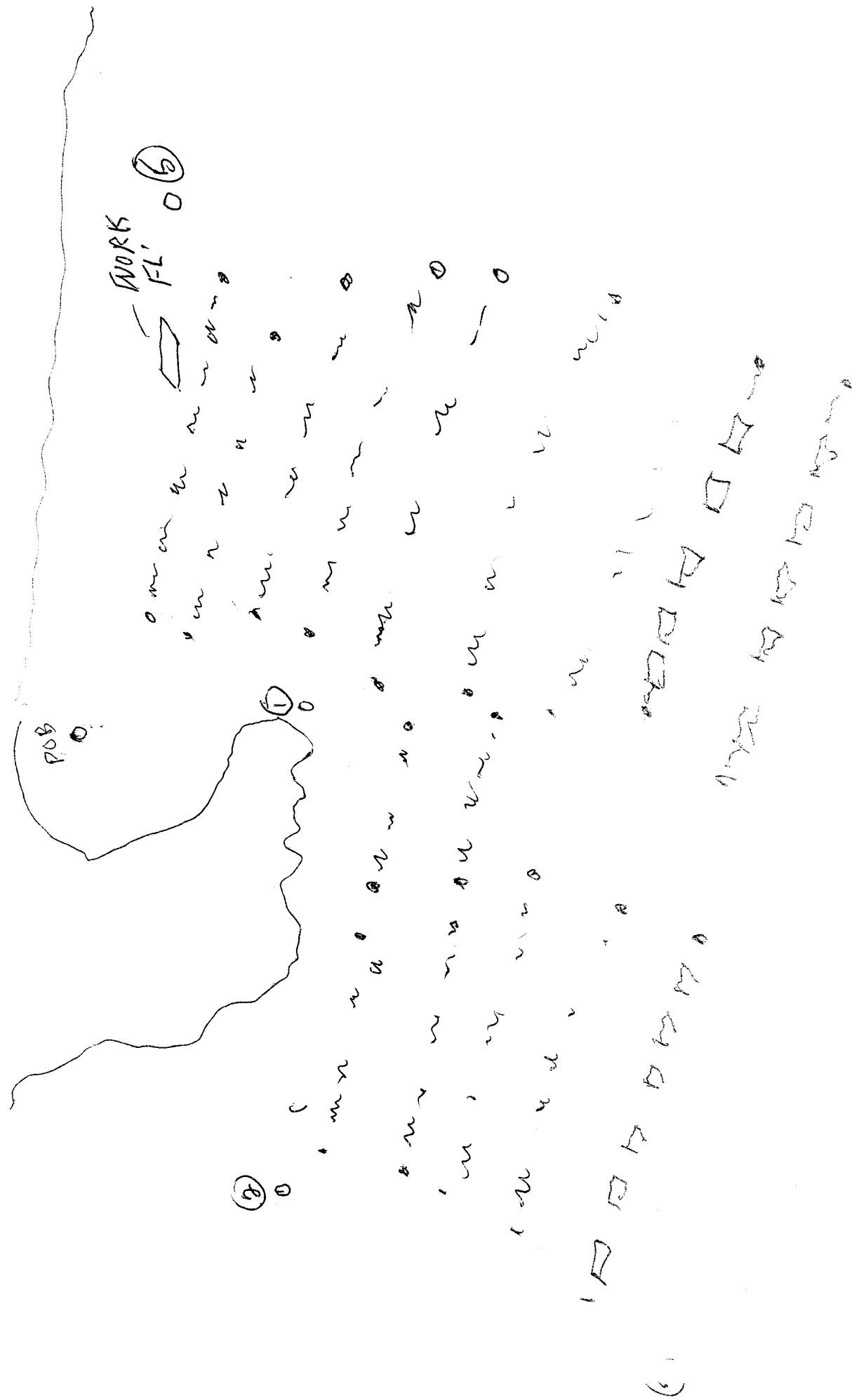
VANTAGE POINT B

TRACT 1 "VPT A"

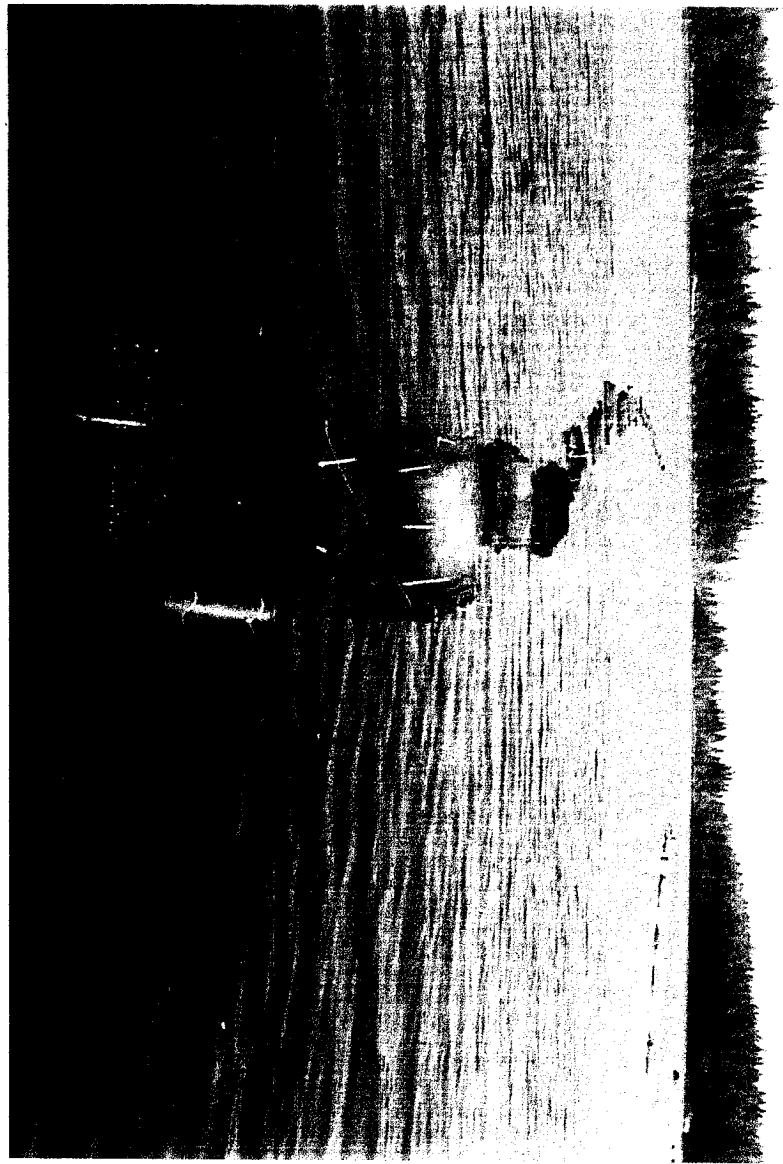
205

2

ATTACHMENT 6A(3)



TRACT 1 VANTAGE POINT B

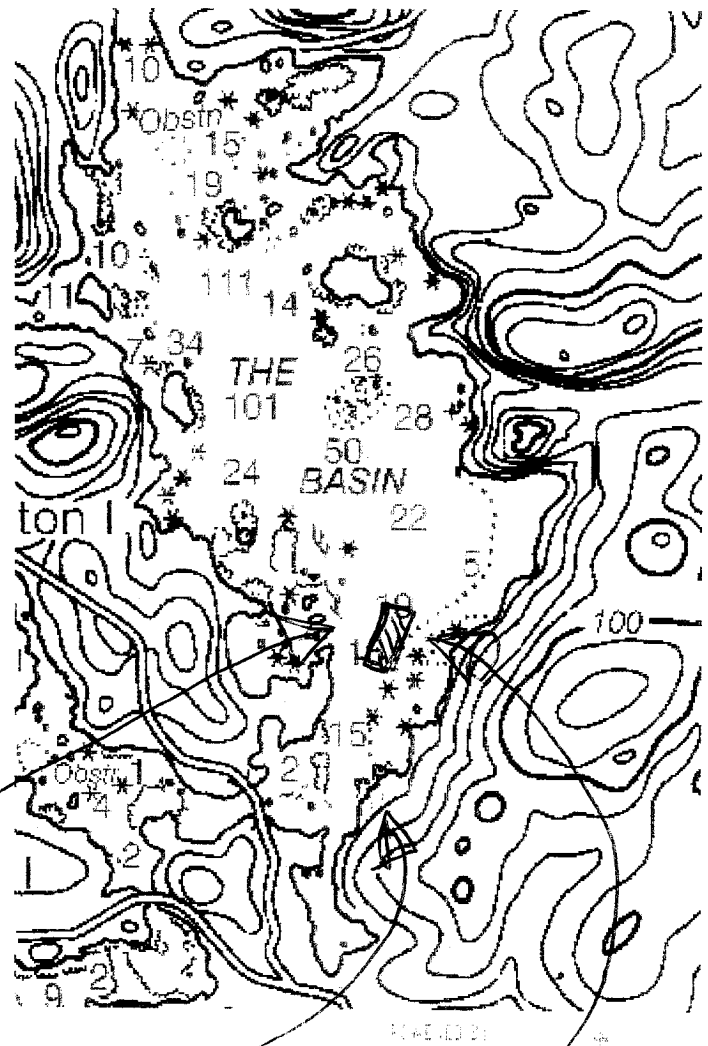


ATTACHMENT 6B (1)



Use +/- on the overview above to zoom the image at the right.
Click on any point in the overview above to center the
right hand image on that point.

Alternatively, use the control buttons under the image at the right to manage its display.



206' x 618'

VINTAGE POINT A

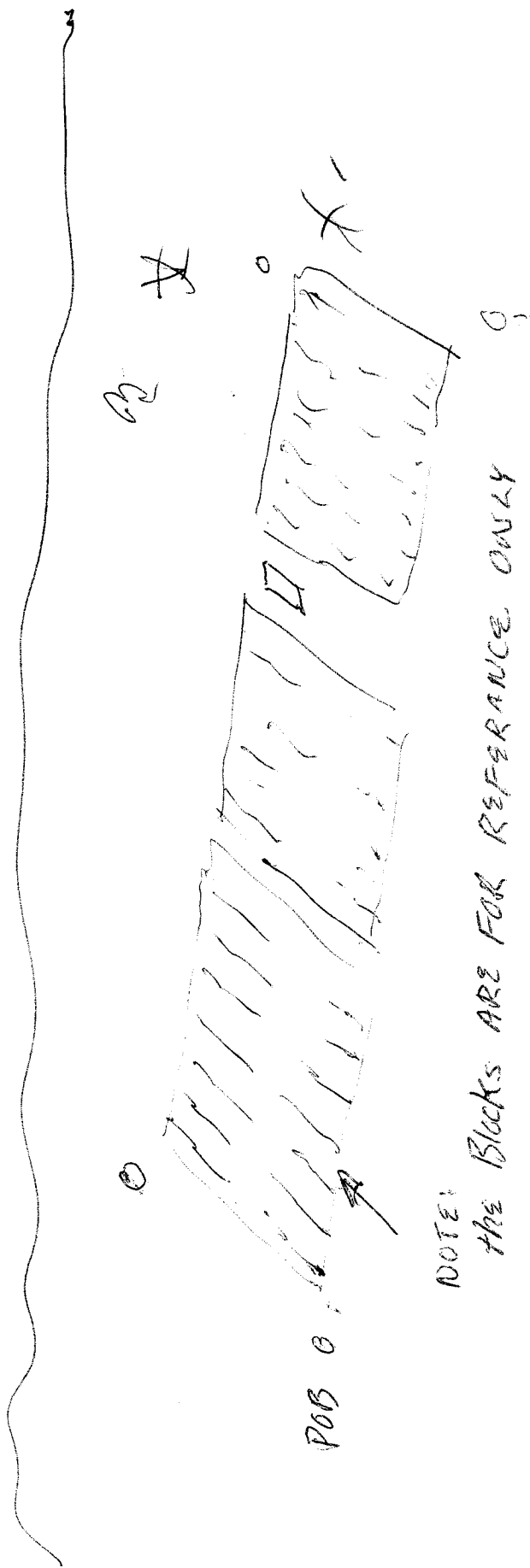
VANTAGE
POINT B

TRACK 2 VANTAG POINT A

ATTACHMENT 6B(2)



TRACT 2 VANTAGE POINT B



**Maine Department of
Inland Fisheries & Wildlife**

MDIFW
Region B Wildlife
270 Lyons Rd
Sidney ME 04330

(207) 547-5319
(207) 547-4035 fax

Email keel.kemper@maine.gov
IFW Website <http://www.maine.gov/ifw>

June 29, 2006

David Weller
P.O. Box 646
Vinalhaven, ME 04863

Re: Wildlife Habitat Information Request – Aquaculture Lease Site – Vinalhaven, Maine

Dear David:

As requested we have reviewed department files for the presence of any Essential or Significant Wildlife Habitats and other areas of special concern associated with the subject area described above. Our findings are limited to those for which MDIFW has responsibility for identifying and are provided below.

Essential Habitats:

Essential Habitats (EH) are defined as "areas currently or historically providing physical or biological features essential to the conservation of an Endangered or Threatened species in Maine and which may require special management considerations". Essential Habitat protection in Maine currently applies only to Bald Eagle nest sites and Roseate Tern, Piping Plover, and Least Tern colonies, but additional listed species may receive attention in the future.

According to MDIFW records there are no known Essential Habitats from the list above that are associated with the project site.

Significant Wildlife Habitats:

The Natural Resources Protection Act (NRPA), administered by the Maine Department of Environmental Protection, provides protection to certain natural resources including Significant Wildlife Habitats. Significant Wildlife Habitats are defined by the NRPA as:

- Habitat for State and Federally listed Endangered and Threatened species
- High and moderate value deer wintering areas and travel corridors
- High and moderate value waterfowl and wading bird habitats, including nesting and feeding areas
- Shorebird nesting, feeding, and staging areas
- Seabird Nesting islands

According to MDIFW records, there are no known Significant Wildlife Habitats from the list above that are associated with the project site.

Other Considerations:

This letter is only meant to be a response to the request for information on the presence of essential or significant habitats on this parcel. This is not meant to be a comment on the merits

of a particular development project, permit application, or proposal. That review can only be done with a written proposal and as part of a regular review process.

Please be aware that, while relatively comprehensive, MDIFW files are far from complete. Many habitat features or communities essential to Maine's wildlife (e.g. vernal pools, grasslands) are not included in the present database. In addition other agencies have jurisdiction for other natural resources. The Department of Marine Resources (633-9500) or Atlantic Salmon Commission (941-4452) can provide information describing use of an area by anadromous fishes and other species. For comprehensive data relating to rare or exemplary plant habitats and ecological communities, the Maine Natural Areas Program may be reached at (207) 287-8042. If I can provide any further information please feel free to contact me at 547-5319.

Sincerely,

A handwritten signature in black ink, appearing to read 'G. Keel Kemper', written over a horizontal line.

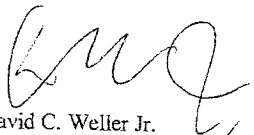
G. Keel Kemper
Regional Wildlife Biologist
Maine Department of Inland Fisheries & Wildlife

EASEMENT

9/29/2002

I, David C. Weller, Jr. owner of a certain parcel of land on Vinalhaven, ME along the shore of Old Harbor Pond (Tax Map 28, Lot 20) agree to provide an easement for the purpose of access to Old Harbor Pond to David C. Weller, Jr. and Melissa L. Berry as follows:

To use in common with others a roadway that runs along the Northerly border of said land and further along the Northerly border of Lot #7 as shown in the Old Harbor Pond Subdivision Plan and the right to maintain and improve the pathway to a maximum of fifteen feet in width. This easement is non-transferable and shall run concurrent with any aquaculture lease held by David C. Weller, Jr. or Melissa L. Berry of Otter Creek, Me.

 9/29/2002
David C. Weller Jr.



JOHN ELIAS BALDACCI
GOVERNOR

STATE OF MAINE
DEPARTMENT OF
MARINE RESOURCES
22 COALING STATION LANE
LAMOINE, MAINE
04605

GEORGE D. LAPOINTE
COMMISSIONER

July 1, 2006

To Whom It May Concern:

I have been asked to characterize the current use of the Basin around the proposed lease tract being requested by David Weller. The area is located on Vinalhaven at the southern end of a nearly enclosed tidal basin known as "The Basin". The area is used in the summer by small recreational craft including kayaks, canoes and small outboards. There are no moorings in this area. There is commercial lobstering but this is conducted more in the deeper waters from outboard boats. It is my opinion that the proposed tract would not inhibit the access or egress of other users of the Basin or obstruct any channel.

Sgt. Marlowe Sonksen
Maine Marine Patrol

PHONE: (207) 667-5654

<http://www.Maine.gov>

FAX: (207) 664-0592

JUL-06-2006 17:01

94%

P.02

Jeffery Peterson
North Haven Road
Vinalhaven, ME 04863

David Weller
P.O. Box 646
Vinalhaven, ME 04863

June 20, 2006

Hi David,

This is in response to your request for documentation on the price of over-wintering cages. I am willing to manufacture and sell to you 100 over-wintering racks at \$60 each during the coming year. Prices may increase after that.

Sincerely,

Jeffery T. Peterson

MAP 20

014 CAULDWELL, LESLIE

57 BROOKSIDE AVE UNIT #4, Boston, MA.

015 CARLSEN, RICHIE CARLSEN JR

RR1 BOX 624 VINELAND ME 04263

020 THOMPSON, FRANK E JR

RR1 BOX 757B VINELAND ME 04263

MAP 28

017

DUPONT, DOUGLAS F.

107 VINE STREET LEXINGTON MA

02420

018 LITWAK, TAINA, R

13089 CHESTNUT OAK DRIVE

GAITHERSBURG MD 20878-3382

019 ENNET, DANA FRANCIS

PO BOX 655 LYNNFIELD MA 01990

020 DAVID WELLET

021 FOSQUE GEORGE & GREGAN MARION

123 BARNARD AVE

WATER TOWN MA 02172

MAY 28 cont

062 OSGOOD, JEFFREY S. & CRISTINA D.
PO BOX 574 VINAL HAVEN ME 04863

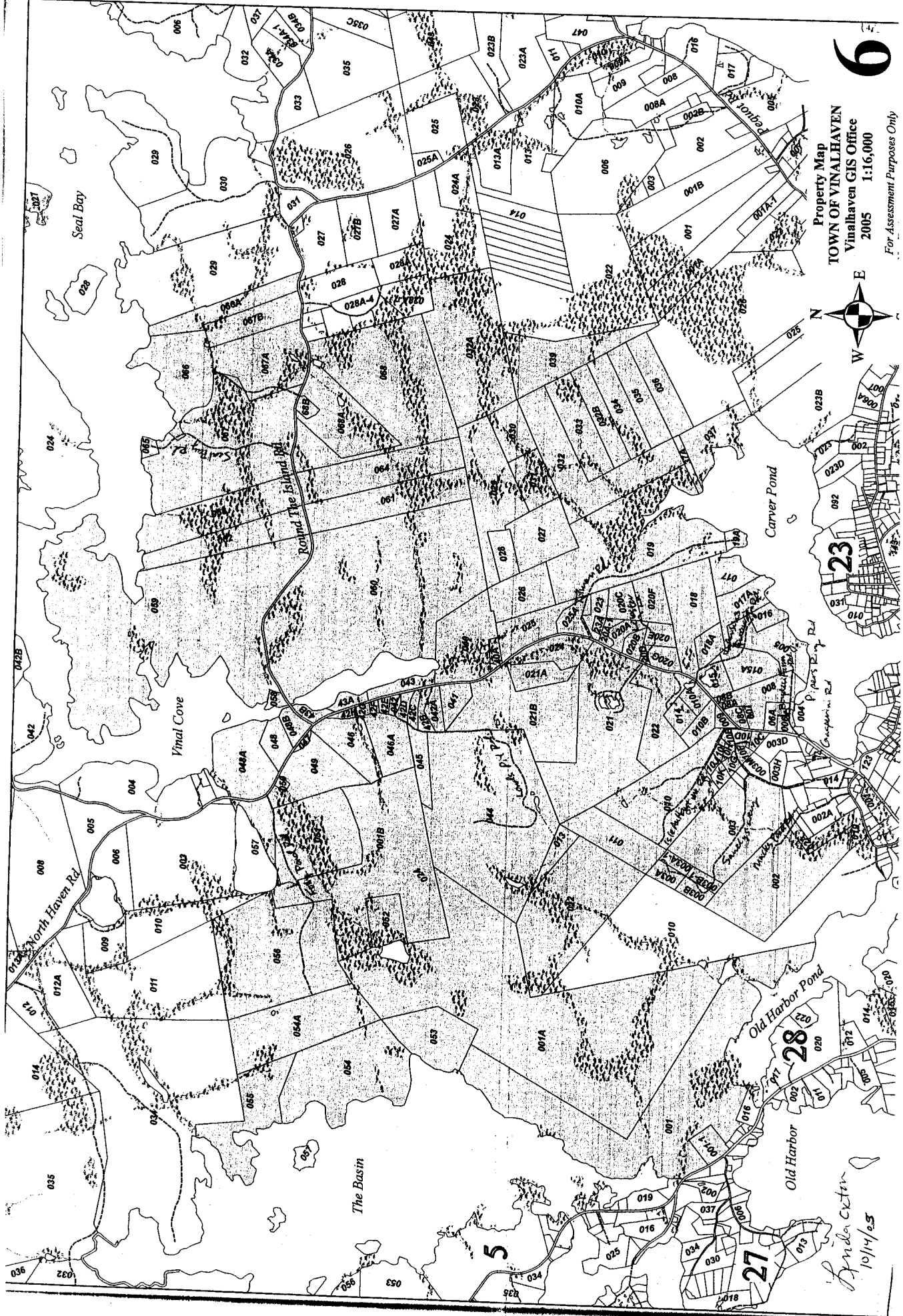
010 AREY, JOHN R
28 VINAL ST ROCKPORT ME 04856

MAP 5

- 024 - 1340 SCUDDER, JEAN, L 04555
 195 OLD HEADS HILL RD KEENEFIELD, ME
 030 1586 VINAL HAVEN LAND TRUST
 PO BOX 268 VINALHAVEN ME 04863
 031 MAINE COAST HERITAGE TRUST
 31A BONDJOIN MILL, TOPSHAM ME 04086
- 36 1437 STANSON FAMILY TRUST 28461
 1/2 DAVID STANSON BALD ISLAND NC

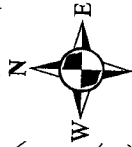
MAP 6

- 001 1336 SCUDDER, JEAN
- 053 1455 SWAIN, MICHAEL & AYRES, CHRISTOPHER
 22 WILSON ROAD, POWNAL ME 04867
- 054 ROSS, GEORGE MAXIM
 81 PRINCE STREET NEW YORK NY 10012



Property Map
TOWN OF VINALHAVEN
Vinalhaven GIS Office
2005 1:16,000
For Assessment Purposes Only

6

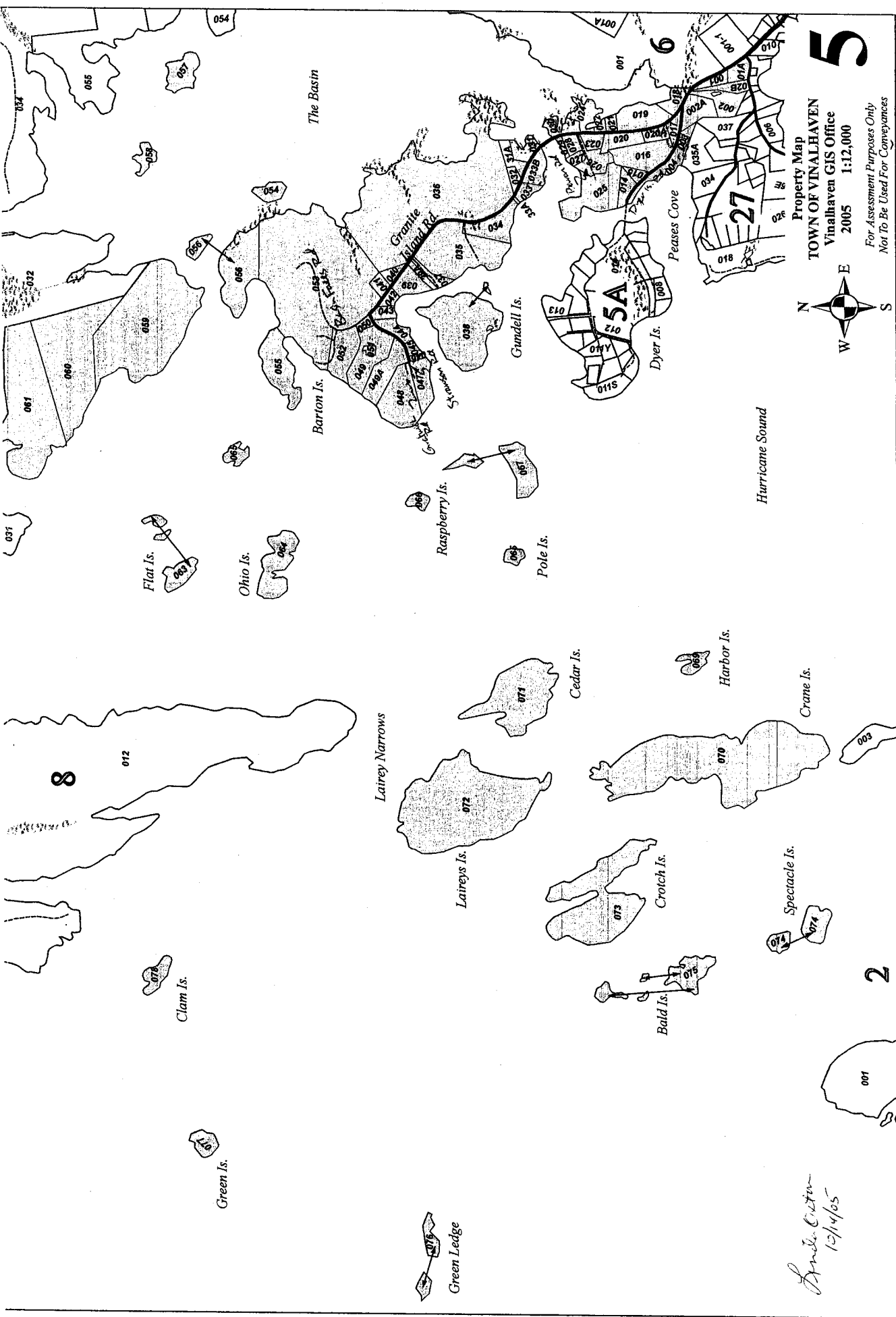


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Bridge Center
10/14/05



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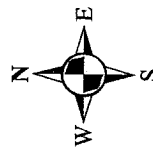
Property Map
TOWN OF VINALHAVEN
Vinalhaven GIS Office
2005 1:12,000

N
W E S

For Assessment Purposes Only
Not To Be Used For Conveyances

Amelia C. Custer
12/14/05

Property Map
TOWN OF VINALHAVEN
Vinalhaven GIS Office
2005 1:4,000
For Assessment Purposes Only
Not To Be Used For Conveyances



The Reach

2A

008-1A

10/14/01

008

Greens Is.

Burying Is.

Old Harbor

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15